

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

MAYRA F. PENA )  
                  )  
PLAINTIFF      )  
                  )  
V.                )  
                  )  
                  )  
HONEYWELL INTERNATIONAL INC., )                   C.A. NO:15-CV-00179-S-LDA  
                  )  
                  )  
DEFENDANT      )

**DEFENDANT HONEYWELL INTERNATIONAL INC.'S REQUEST FOR THE COURT  
TO CONSIDER SUPPLEMENTAL AUTHORITY IN RELATION TO DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

Defendant, Honeywell International Inc. ("Honeywell" or "Defendant") hereby requests that this Court consider recently published First Circuit case law in relation to its Motion for Summary Judgment. Specifically, Honeywell requests that this Court consider the First Circuit's recent opinion in Ortiz-Martínez v. Fresenius Health Partners, PR, LLC, No. 16-1453, 2017 WL 1291193, at \*1 (1st Cir. Apr. 7, 2017).<sup>1</sup> The First Circuit's opinion is pertinent and significant to Honeywell's Motion for Summary Judgment in that it bears directly on the breakdown of the interactive process where an employee does not engage in good faith in responding to an employer's request for specific information to determine the type of accommodation required. Accordingly, Honeywell respectfully requests that this Court (i) allow the parties additional briefing limited to analysis and argument concerning the above-referenced case; or (ii) review and consider the above-referenced case as it relates to Honeywell's Motion for Summary Judgment on its own accord.

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<sup>1</sup> A copy of the First Circuit's opinion is attached hereto as Exhibit A.

HONEYWELL INTERNATIONAL INC.,

By its Attorneys,

NIXON PEABODY LLP

/s/ Neal J. McNamara  
Neal J. McNamara (#4249)  
Aaron F. Nadich (#9571)  
One Citizens Plaza, Suite 500  
Providence, Rhode Island 02903  
(401) 454-1000  
(401) 454-1030 (Facsimile)  
[nmcnamara@nixonpeabody.com](mailto:nmcnamara@nixonpeabody.com)

Date: April 25, 2017

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the within Defendant's Request to Consider Supplemental Authority was served on counsel via the Court's Electronic filing system on this 25th day of April, 2017.

/s/ Neal J. McNamara